

# **Transportation Development Act 2% Funding for Pedestrian and Bicycle Projects Bylaws**

Approved by TAMC Board on December 4, 2002

The rules and regulations are divided into three general categories:

- I. PROCEDURES for submitting and processing grant applications.
- II. MINIMUM REQUIREMENTS for all grant applications.
- III. CRITERIA for determination of priority list of projects, factors to be considered in deciding which of the proposed projects will be recommended for funding.

## I. PROCEDURES

- a) Before March 1 of every even year, Transportation Agency for Monterey County (TAMC) staff will advise prospective claimants, cities and County, of the funds anticipated to be available, and of the procedures for applying for 2% Pedestrian and Bicycle Account Funds.
- b) To be considered for funding, an application must be received by TAMC by the first Monday in April.
- c) TAMC's Bicycle and Pedestrian Facilities Advisory Committee (BPC) will appoint a Subcommittee, comprised of BPC and Technical Advisory Committee (TAC) members without a conflict of interest, to evaluate and rank all applications according to the "Criteria" in the Bylaws, section III. Subcommittee members will make their report to the BPC's May meeting.
- d) The BPC will consider approving the initial rankings recommended by the Subcommittee at their May meeting. The Committee will recommend approval for funding by the Transportation Agency. Alternative projects will also be listed in case recommended projects fail to be constructed.
- e) The BPC will forward their recommendations onto the TAC for comment at their June meeting. If the comments cannot be incorporated, both sets of recommendations will be forwarded to the TAMC Board.
- f) The Transportation Agency Board will consider the recommendations made by the TAC and the BPC at their June meeting.
- g) Transportation Agency staff will notify the agencies of those applications that have been funded.

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- h) Funds awarded by TDA must be expended in the period between project award and the end of the second fiscal year. Extensions will be granted under special circumstances at the discretion of the TAMC Board.

### II. MINIMUM REQUIREMENTS

- a) The project must be a bicycle and pedestrian facility listed in the Transportation Development Act Section 99234. Class III (shared bicycle routes) will be excluded. Applications proposing implementation of provisions to incorporate Americans with Disabilities Act (ADA) requirements on bikeways and pedestrian paths will be permitted. Eligible applicants include any TAMC member agency or ex officio member agency.

Section 99234 permits the following types of projects:

1. Facilities provided for the exclusive use of pedestrians and bicycles, including construction and related engineering expenses.
  2. Of the 2% total allocation, 5% thereof may be expended to supplement moneys from other sources to fund bicycle safety education programs, but shall not be used to fully fund the salary of any one person. (Section 99233.3)
  3. Maintenance of bicycling trails that are closed to motorized traffic.
  4. Bicycle projects may include projects that serve the needs of commuting bicyclists, including new trails serving major transportation corridors, secure bicycle parking at employment centers, park-and-ride lots, and transit terminals where other funds are unavailable.
- b) Current California Department of Transportation (Caltrans) standards for such bicycle and pedestrian facilities must be adhered to unless specifically exempted at the time of application approval by the Transportation Agency. TAMC design standards as found in TAMC's General Bikeways Plan should also be included in the final design unless an exemption is granted by TAMC.
  - c) The governing body of the agency requesting funds must provide a resolution endorsing the application and guaranteeing maintenance of the completed facility **for 20 years** and that the facility must remain open for use by pedestrians and bicyclists during this period.
  - d) Project must conform to the TAMC General Bikeways Plan and the Regional Transportation Plan.
  - e) The proposed application shall include a breakdown of costs for Engineering, Construction, Right-of-Way, and also a description of how the project is to be maintained. The application shall also contain a statement of justification covering the points indicated in the "Criteria" and any other information that may be useful in

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determining the project placement on the Priority List, including, but not limited to, a map and typical cross-section drawings, if applicable.

- f) The fiscal and accounting records of the agency receiving funding through the 2% Bicycle and Pedestrian Account are subject to Transportation Agency and State audit.
- g) The proposed project shall be included in the applicant's adopted bicycle and pedestrian facility plan. If the agency does not have a bicycle and pedestrian plan, the project shall be included in the adopted TAMC General Bikeways Plan.

### III. CRITERIA FOR DETERMINING PRIORITY LIST

All projects will be ranked according to the following criteria:

1. Safety
2. Completion of regional links
3. Connections with other transportation modes
4. Connections with activity centers
5. Use of other funds in addition to Local Transportation Funds
6. Public Support
7. Project Deliverability

Resolution #92-5 was amended on February 24, 1993 to declare TAMC's intent to give first consideration to bicycle or pedestrian facilities that emphasize safety, encouragement of bicycle transportation uses, completion of regional links, and connections to other transportation modes.

The TAMC Board adopted these amended Bylaws on December 4, 2002 to allow for TAC member participation in the scoring Subcommittee and to update the timeframe for the grant awards.